REMARKS

I. Introduction:

Claims 1-18 were originally pending in the case. Claims 1-10 were withdrawn from further consideration pursuant to a Restriction Requirement. Applicant elected to prosecute Claims 11-18, without traverse. The Office Action was mailed in the present case on February 21, 2006, making a response due on or before May 21, 2006. Since this response is being submitted in a timely manner, no additional fee is thought to be due at this time. If any additional fee is due for the continued prosecution of this application, please charge the same to Applicant's Deposit Account No. 50-2555 (Whitaker, Chalk, Swindle & Sawyer, LLP).

Applicant appreciates the Examiner's indication of the allowability of Claims 15-18 if these claims were amended to include positive method steps. Claim 15 has accordingly been rewritten in independent form incorporating all of the features of any intervening claims. Claim 15 has also been amended to more clearly recite the positive method steps employed in the method of the invention. Claim 14 has been canceled since the features of this claim are now included in amended Claim 15.

Remaining independent Claim 11 was rejected substantively over the Herbst reference, to be discussed. Applicant has amended Claim 11, in view of the Examiner's remarks, to better distinguish Herbst. Reconsideration of the previous rejection would be appreciated. Dependent Claims 12-14 have been canceled since the features of these claims have now been incorporated into rewritten Claim 11.

II. The Rejection Based Upon Herbst:

The Examiner initially rejected Applicant's Claim 11 under 35 U.S.C.§102(e) as being unpatentable over Herbst (5,894,706). There are a number of features in Applicant's amended Claim 11 which are not shown in the Herbst reference. For example, Applicant's snap fit engagement elements are

intended to "interlock" the front and rear frame members so that the assembled window frame is "wind load capable." As stated at page 12, lines 24-27 of Applicant's Specification:

> *By providing the field goal-shaped openings with the reinforced cross bar and side post regions, the window frame members of the invention can withstand a 60 psf external and internal wind test. These features of Applicant's design provide a wind load capable/reversible snap fit for the front and back frame member.*

The element 25 of Herbst is a single piece. It has a leg 50 which presses into a groove (51 in Figure 9). Applicant would submit that this arrangement is not a "snap fit", i.e., a positive interlocked connection as defined in the Specification. The Herbst system would not withstand a hurricane force wind, as would Applicant's interlocking design. The Herbst element 25 is more in the nature of a decorative trim. As such, the Herbst frame element 25 could probably be pulled off by hand without the necessity of a disengagement tool, as further described in Applicant's amended Claim 11. Additionally, since the elements 25 of Herbst are individual pieces, the Herbst system is more in the nature of the "stick-fit" systems of the prior art, rather than employing an integral rear frame member, as in Applicant's design.

III. The Rejection Based Upon Herbst in view of Beaudoin et al. (6,931,810):

The Examiner also rejected Applicant's original Claims 12-13 under 35 U.S.C.§103(a) as being unpatentable over Herbst in view of Beaudoin. The Examiner admits that Herbst fails to show the use of a hand tool to separate the frame members for disassembly. Beaudoin is cited to show the use of a hand tool.

Applicant has amended Claim 11 to further describe the window frame members as having:

"access openings in the rear window frame member at spaced intervals about the periphery thereof in alignment with the engagement elements when the frame members are assembled."

The access openings in the integral frame members allow a hand tool, such as the screwdriver shown in Figures 8A and 8B of the drawings, to be used to disassemble the wind capable frame. As set forth in the amended claim language, Applicant's system allows:

> *"a hand tool to disengage the snap-fit engagement elements, the hand tool being inserted into the frame access openings of the rear window frame member to disengage the engagement elements;*
>
> *separating the window frame members;*
>
> *removing the existing transparent pane from between the two window frame members;*
>
> *installing a new transparent pane between the two window frame members; and*
>
> *again engaging the window frame members within the garage door opening."*

Support for the newly added claim language can be found at page 11, lines 23-28 of Applicant's Specification as originally filed.

The combination of Beaudoin with Herbst would not arrive at Applicant's invention as defined in the amended claim language. First of all, with reference to Figure 5 of the Beaudoin reference, the locking element 66 has flared legs 50 which compress against the glass. This is not a snap fit system as defined in Applicant's Specification and as explained above. There are no interlocking snap fit elements which would withstand hurricane force winds. Secondly, a closer examination of the Beaudoin teaching makes clear that it does not teach Applicant's release system, as defined in amended Claim 11.

With reference to Figure 11 of Beaudoin, a screwdriver 76 is used to disengage the locking elements 66. However, because of the different design involved, there are no *"access openings in the rear*

window frame member at spaced intervals about the periphery thereof in alignment with the engagement elements when the frame members are assembled." Similarly, because there are no access openings, Beaudoin does not use a screwdriver "*to disengage the snap-fit engagement elements, the hand tool being inserted into the frame access openings of the rear window frame member to disengage the engagement elements.*" In fact, one version of the Beaudoin system is merely made up of a series of discrete locking elements spaced about the periphery of the rear of the window glass. In another version, the locking elements are held together by a "strip 70", see Col. 6, lines 8-10 of Beaudoin. This teaching is not even remotely similar to Applicant's integral front and rear window frame members which have interlocking snap fit engagement elements and which have aligned access openings in the rear frame member to receive, for example, the blade of a screwdriver to disengage the locking elements.

Finally, the Examiner cited the Jennen reference to show front and rear frame members of injection molded plastic. However, even accepting Jennen for such a teaching, the above discussed features of the presently defined invention would not be met. Jennen nowhere shows or suggests the details of Applicant's snap fit system or the access openings or use of a hand tool for disassembly of the frame members, as discussed above.

IV. Conclusion:

Applicant is presently marketing the system of the invention and has provided a solution to a long standing problem in the garage door industry. The system is simple in design and economical to manufacture. The inventive system provides a reliable, wind capable window frame capable of withstanding internal/external wind forces on the order of 60 lbs/sq. ft., or greater. The system adds little expense to the cost of a garage door window frame of the type presently employed in the relevant industry since the frame members can be formed from injected molded plastic. The front and rear frame members are provided with mating engagement means which allow the frame members to be engaged in snap fit fashion by simply pressing the front and rear frame members together. It is not necessary to utilize a hammer or to assemble the frame members into a door

section in a separate step as was often done in the prior art. The nature of inter-engageable tabs and lips allows the engagement members to be easily released with a simple hand tool such a screwdriver blade so that the frame assembly can be disassembled for repair or replacement. Applicant should be awarded patent protection commensurate with the scope of the invention, as defined in the amended claims.

Respectfully submitted,

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